

ANTI-SOCIAL BEHAVIOUR STRATEGY

FEBRUARY 2024



LANARKSHIRE
HOUSING ASSOCIATION LTD



LANARKSHIRE
HOUSING ASSOCIATION LTD

191 Brandon Street
Motherwell ML1 1RS
Tel: (01698) 269119
Fax: (01698) 275202

ANTI-SOCIAL BEHAVIOUR STRATEGY

(*Note Lanarkshire Housing Association hereinafter referred to as LHA)

1.0 INTRODUCTION

- 1.1 This strategy outlines Lanarkshire Housing Association's approach to the management of anti-social behaviour (ASB), in compliance with the Anti-Social Behaviour etc. (Scotland) Act 2004.
- 1.2 The Act describes a person as being responsible for anti-social behaviour if they "*Act in a manner that causes or is likely to cause alarm or distress; or pursues a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them*".
- 1.3 This strategy aims to outline how LHA will deal with problems of neighbour disputes and anti-social behaviour which can take a variety of forms. It will also outline the way that we will categorise these complaints and the level of priority attached to these accordingly.

2.0 AIMS AND OBJECTIVES

This strategy has the following aims: -

- To allow us to apply the terms of our tenancy agreement in relation to respect for others
- To seek to resolve neighbour nuisance complaints
- To meet legislative and regulatory requirements in dealing with ASB
- To ensure our estates are safe places to live and our housing stock remains in demand. We will monitor and address any emerging problems in order to alleviate any decline in demand for specific areas
- To address anti-social behaviour both on our own, and in partnership with others in a mixed tenure estate. We will use a multi-agency approach to effectively utilise enforcement of legislative powers, in addition to local initiatives to prevent and tackle ASB in our communities

LHA also has the following objectives to be achieved in this strategy: -

- To attempt to resolve as many disputes as possible, by mutual agreement between the parties involved at an early stage
- To ensure that all complaints relating to neighbour disputes are dealt with in a sympathetic, effective manner and with the minimum of delay
- To ensure all complaints are responded to within defined timescales, which will depend on the severity of the dispute.
- To support tenants who are finding difficulties in sustaining their tenancy because of estate management or anti-social behaviour issues.

3.0 COMPLIANCE WITH REGULATORY STANDARDS – SCOTTISH SOCIAL HOUSING CHARTER (SSHC)

- 3.1 This strategy adopts the principles of the SSHC (the Charter) to ensure standards and outcomes are achieved through efficient management of services.

In particular we will address the following aspects of the Charter:

- **Charter Outcome 1 – Equalities:**

‘every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services’.

- **Charter Outcome 2 – Communication**

‘tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides’.

- **Charter Outcome 6 – Neighbourhood and Communities**

‘Social landlords, working in partnership with other agencies help to ensure as far as reasonably possible that: ‘tenants and other customers live in well-maintained neighbourhoods where they feel safe’.

- **Charter Outcome 11 – Tenancy Sustainment**

‘tenants get the information they need on how to obtain support to remain in their home: and ensure suitable support is available, including services provided directly by the landlord and by other organisations’.

4.0 ADDRESSING ANTISOCIAL BEHAVIOUR

- 4.1 Tenants are made aware of their responsibilities in our Scottish Secure Tenancy (SST). The SST confirms that ‘Anti-Social’ means causing or likely to cause alarm, distress, nuisance or annoyance to any person, or causing damage to anyone’s property. Harassment of a person includes causing the person alarm or distress. Conduct includes speech. A course of conduct must involve conduct on at least 2 occasions.
- 4.2 The Antisocial Behaviour etc. (Scotland) Act 2004 provides a range of powers to tackle ASB and alleviate activities which may contribute to ASB. We aim to address emerging local problems proactively, pursuing appropriate tenancy and legal actions in response to specific or identified tenancy or area problems.
- 4.3 We will assess incidents of reported ASB in compliance with our Estate Management Policy and Charter indicator 19 which details ‘that landlords

set timescales for managing and resolving their anti-social behaviour cases. It is acceptable for timescales to vary depending on the severity of the anti-social behaviour’.

Our anti-social response timescales were previously agreed in consultation with our Tenant Focus Group. The group also agreed with the categories proposed for ASB. This strategy does not propose to change these. These remain as follows: -

- 1. Severe/Criminal**
- 2. Serious**
- 3. Breach of Tenancy**
- 4. Low Level Nuisance**

The response timescales are as follows:

Category 1 – Severe/Criminal

Severe/Criminal category would include allegations of drug dealing, criminal/violent behaviour, serious harassment, hate crimes, domestic abuse or serious damage to property.

Response Time – 1 working day then progress in 1 working day

Category 2 – Serious/Persistent

Serious/persistent complaints, persistent noise (including loud music/banging), abusive or threatening behaviour, harassment and minor damage to property

Response Time – 3 working days and progress in 3 working days

Category 3 – Breach of Tenancy

Disputes about communal areas, minor noise nuisance and lifestyle clashes.

Response Time – 3 working days and progress in 10 working days

Category 4 – Low Level Nuisance

One off parties and general living noise.

Response Time – advice given at point of contact and follow up in 20 working days

- 4.4 We will establish Estate Based Plans where required, to assist in mapping support for identified estates or area problems. Estate Management budgets may be made available to support particular problems including close cleaning, no ball games signs and area clean ups. In addition, low demand initiatives will be used to tackle identified allocation difficulties.

5.0 INFORMATION SHARING

- 5.1 We share information with the local authority, taking account of the principles of the Data Protection Act 1988 and The General Data Protection Regulation (EU) 2016/679 (“the GDPR”). We also have data sharing agreements in place with Police Scotland and North Lanarkshire Council Anti-Social Behaviour Team.
- 5.2 We will notify Police Scotland of any incidents of concern within estates to allow mapped police support to areas requiring special attention.

6.0 EQUALITY AND DIVERSITY

We are committed to promoting equality and diversity within our communities. Antisocial behaviour which targets individuals specifically because of race, ethnicity, disability, gender, sexual orientation, age, religion or any other protected characteristics will not be tolerated. We will ensure incidents of this type are properly recorded, monitored and fully investigated. Any allegations of hate crimes will be shared with Police Scotland.

7.0 MONITORING AND REVIEW

- 7.1 We will report to the Housing Services Sub Committee on actions to address ASB and report on any emerging estate problems.
- 7.2 We will complete and return statistical details on ASB to the Scottish Housing Regulator in our Annual Return on the Charter (ARC)
- 7.3 We encourage tenant feedback on this service through our independent tenant satisfaction survey, undertaken every 3 years. From time to time, we may carry out surveys of tenants who have reported ASB to us to measure satisfaction with the service and to promote continuous improvement.
- 7.4 This Strategy/Policy will be reviewed in one year at which time a fuller review of our ASB categorisation, timescales and outcomes will take place in full consultation with our tenants. It will be cognisant of any provisions included in the anticipated Housing (Scotland) Bill 2024 – including the increased homeless prevention duty as it relates to ASB and also the development of a Domestic Abuse Policy. Thereafter, the policy will revert to the 3-yearly review cycle.

Lanarkshire Housing Association Equality Impact Assessment Tool



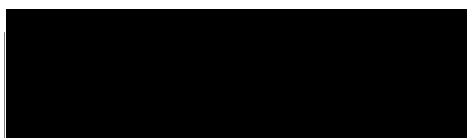
Name of the policy / proposal to be assessed	Anti-Social Behaviour Strategy	Is this a new policy / proposal or a revision?	Revision
Person(s) responsible for the assessment	Craig Russell		
1. Briefly describe the aims, objectives and purpose of the policy / proposal		<ul style="list-style-type: none"> • To allow us to apply the terms of our tenancy agreement in relation to respect for others • To seek to resolve neighbour nuisance complaints • To meet legislative and regulatory requirements in dealing with ASB • To ensure our estates are safe places to live and our housing stock remains in demand. We will monitor and address any emerging problems in order to alleviate any decline in demand for specific areas • To address anti-social behaviour both on our own, and in partnership with others in a mixed tenure estate. We will use a multi-agency approach to effectively utilise enforcement of legislative powers, in addition to local initiatives to prevent and tackle ASB in our communities 	

2. Who is intended to benefit from the policy / proposal? <i>(e.g. applicants, tenants, staff, contractors)</i>	Tenants, Factored Owners living in estates with LHA tenants and staff
3. What outcomes are wanted from this policy / proposal ? <i>(e.g. the benefits to customers)</i>	<ul style="list-style-type: none"> • To attempt to resolve as many disputes as possible, by mutual agreement between the parties involved at an early stage • To ensure that all complaints relating to neighbour disputes are dealt with in a sympathetic, effective manner and with the minimum of delay • To ensure all complaints are responded to within defined timescales, which will dependent on the severity of the dispute. • To support tenants who are finding difficulties in sustaining their tenancy because of estate management or anti-social behaviour issues.

4. Which protected characteristics could be affected by the proposal? (tick all that apply)	
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input checked="" type="checkbox"/> Age</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Disability</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Marriage & Civil Partnership</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Pregnancy/Maternity</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Race</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Religion or Belief</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Sex</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Gender Reassignment</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Sexual Orientation</div> </div>	
5. If the policy / proposal is not relevant to any of the protected characteristics listed in part 4, state why and end the process here. n/a	

	Positive impact(s)	Negative impact(s)
6. Describe the likely positive or negative impact(s) the policy / proposal could have on the groups identified in part 4	By ensuring we have clear processes in place to ensure a zero tolerance approach to ASB targeted at any of the protected group, this will have a positive impact.	
7. What actions are required to address the impacts arising from this assessment? <i>(This might include collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).</i>	<p>Monitoring of complaints that involve a tenant with any of the protected characteristics alongside outcomes.</p> <p>Training alongside partners in Police Scotland and North Lanarkshire Council to ensure LHA staff are fully trained and aware on how to deal with these types of complaints sensitively.</p> <p>Supporting procedures require to be developed to help staff deal with ASB complaints and implement the strategy.</p>	

Signed:



Housing Services Director 26.01.24

Date the Equality Impact Assessment was completed:

Please attach the completed document as an appendix to your policy / proposal report